

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 11/16/2021

JUAN VILLAFANE, JR.,

Plaintiff,

-against-

CITY OF NEW YORK et al.,

Defendants.

1:20-cv-07357-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court held a status conference on this matter on November 16, 2021. At this conference, Plaintiff advised the Court that he has not served Defendants Sergeant Rosa and Lieutenant Penero and that he intends to dismiss his claims as against them.

IT IS HEREBY ORDERED that on or before November 19, 2021, Plaintiff shall either file a notice of voluntary dismissal as against Defendants Sergeant Rosa and Lieutenant Penero or serve the First Amended Complaint on Defendants Sergeant Rosa and Lieutenant Penero.

IT IS FURTHER ORDERED that the parties shall appear for a Post-Discovery Conference on March 1, 2022 at 10:00 AM. The conference will be held telephonically. To join the conference, dial 888-278-0296 and enter access code 5195844.


One week before the conference, the parties shall submit a joint letter regarding the status of the case. The letter should include the following information in separate paragraphs:

- a. a statement of any existing deadlines, due dates, and/or cut-off dates;
- b. a brief description of any outstanding motions;
- c. a brief description of the discovery and undertaken if either party believes any additional discovery that needs to be completed;
- d. a statement describing the status of any settlement discussions and whether the parties would like a settlement conference;
- e. a statement of the anticipated length of trial and whether the case is to be tried to a jury;
- f. a statement of whether any party anticipates filing a motion for summary judgment or a motion to exclude expert testimony (see Individual Practice Rules ¶4(A)(i));

- g. any other issue that the parties would like to address at the conference; and
- h. any other information that the parties believe may assist the Court in advancing the case to settlement or trial.

**SO ORDERED.**

**Date: November 16, 2021**  
**New York, NY**

  
**MARY KAY VYSKOČIL**  
**United States District Judge**